

Radio and Television Broadcasting to Cuba: Background and Issues Through 1994

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Summary

Radio Marti first began broadcasting to Cuba in 1985 while TV Marti began broadcasting in 1990. Both programs are within the Office of Cuba Broadcasting, United States Information Agency (USIA). Almost since the beginning, U.S. government broadcasting to Cuba has been controversial. Supporters say a source of news independent of the Cuban government is important, especially in the post-Cold War climate. They say there is less print and broadcast media available now to Cubans than ever before. Critics of U.S. government broadcasting in Cuba say it has too much Cuban-American focus, and not enough diverse opinions. They claim that TV Marti broadcasts entertainment rather than news and editorials, and has low viewership because of jamming by the Cuban government and early morning time slots—3:30 am to 6:00 am. In addition, some lawmakers have expressed concern that the nine-person Advisory Board for Cuba Broadcasting, which is appointed by the President, with confirmation by the Senate, is not rotated as was stipulated by the legislation that created it. Thus, in recent years, the value of maintaining Cuba broadcasting as it currently exists has come into question.

In the Commerce, Justice, State Appropriations Act for FY1994 (P.L. 103-121), Congress provided funding for Radio and TV Marti, but withheld a portion for each until the USIA Director reported to Congress (not later than July 1, 1994) on the two programs. In issuing the report, the USIA Director was to take into account the findings and recommendations of the newly established Advisory Panel, which was created to study the “purpose, policies, and practices of radio and television broadcasting to Cuba.”

The Advisory Panel first met in December 1993 and submitted its two-volume report in March 1994. On July 8, 1994, USIA Director Joseph Duffey submitted to Congress his response to the Panel report. The Director made a determination that the best interests of the United States are being served by maintaining TV broadcasting to Cuba, that maintaining television broadcasting to Cuba is technically sound and effective, and that TV Marti broadcasting is consistently being received by a sufficient Cuban audience to warrant its continuation.

About the same time that the reports were submitted, the FY1995 budget funding process for Cuba Broadcasting was underway. The Administration requested \$27.6 million for FY1995 appropriations for Cuba Broadcasting, an increase of 31.4 percent over the enacted FY1994 level. The House-passed bill recommended \$8.6 million for Cuba Broadcasting, with no funding for TV Marti, while the Senate bill recommended \$24.8 million for both Radio and TV Marti. In the end, the Senate version of the bill predominated when the issue was resolved in conference, and \$24.8 million was appropriated for Cuba broadcasting. Debate on whether or how much to fund Cuban broadcasting is likely to continue into the future as long as the U.S. budget is constrained and the size of the Cuban viewing audience is in question.

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Introduction

Since their inception, Radio and TV Marti have attracted much controversy. In 1991, one of the findings of the U.S. Advisory Commission on Public Diplomacy was that TV Marti was not cost-effective when compared with other public diplomacy programs. In 1992, GAO questioned whether TV Marti met Voice of America broadcast standards, as required by law.¹ In 1992 and 1993, news articles criticized the effectiveness of TV Marti in reaching the Cuban audience.² In 1993, some Members of Congress debated the value of continuing funding it. Subsequently, the Commerce, Justice, State and Related Agencies Appropriation Act for FY1994 (P.L. 103-121) established an Advisory Panel on Radio and TV Marti to determine whether the broadcasting of these entities: (1) consistently meets standards for quality and objectivity established by law or by USIA, (2) is cost effective, (3) is being received by the Cuban people on a daily basis, (4) and if TV Marti is technically sound and effective and is consistently being received by a sufficient Cuban audience to warrant its continuation. Furthermore, the Act stipulated that appropriations would be withheld until 30 days after the Director makes reports after consulting with the Advisory Panel on measures that the USIA is taking with respect to recommendations of the Panel.

On December 21, 1993, the Director of the USIA, Joseph Duffey, announced the formation of the three-member Panel. The Panel met for the first time on December 28, 1993 and terminated in March 1994, as soon as the report was submitted to Congress. Generally, the Advisory Panel concluded that both Radio and TV Marti should be continued and streamlined. As required by the FY1994 appropriations law, USIA Director Joseph Duffey submitted a response to the findings of the Advisory Panel in July 1994, as well as his determination that TV Marti is technically sound and effective, is consistently being received by a sufficient Cuban audience, and is in the best interest of the United States to maintain.

At about the same time, Congress was considering the President's \$27.6 million budget request for Cuba Broadcasting for FY1995. The House approved \$8.625 million, about \$19 million below the request and \$12.4 million less than current funding of \$21 million; the House recommended no funding for TV Marti. The Senate, however, set funding closer to the Administration request—at \$24.8 million for both Radio and TV Marti. In the end, the Senate version of the bill predominated and \$24.8 million was appropriated for Cuba broadcasting (P.L. 103-317).

This report provides a legislative history and funding levels for Cuba Broadcasting. It discusses specific concerns some lawmakers have had with Radio and TV Marti over the years, and presents the Panel's recommendations and the USIA Director's response and determinations, as required by the FY1994 appropriations act.

Establishment of Radio and TV Marti

Since the early 1960s, U.S. policy toward Cuba has consisted largely of isolating the island nation through a comprehensive trade embargo.³ When Fidel Castro came to power in 1959 and began to build a Communist dictatorship, U.S.-Cuban relations deteriorated sharply. The Kennedy

¹ U.S. General Accounting Office. *TV Marti Costs and Compliance with Broadcast Standards and International Agreements*. May 1992. GAO/NSIAD-92-199.

² Hockstader, Lee. "Miami Likes TV Marti; Cuba Can't See It." *Washington Post*, April 16, 1992; Rohter, Larry. "Miami's Cuban Exiles May Lose TV Station." *New York Times*, July 10, 1993.

³ For a discussion of U.S.-Cuban relations and current legislative action, see CRS Issue Brief 94005, *Cuba: Issues for Congress*, by Mark P. Sullivan.

Administration broke U.S. diplomatic relations with Cuba in 1961 after Cuba demanded that U.S. Embassy staff be reduced to a skeleton crew. The United States subsequently sponsored the ill-fated Bay of Pigs invasion by anti-Castro Cubans in 1961, and in 1962 imposed a comprehensive trade embargo on Cuba because of Castro's expropriation, without compensation, of U.S. properties in Cuba. Tensions peaked in October 1962 during the Cuban missile crisis when the Soviet Union attempted to install offensive missile sites in Cuba.

In the early to mid-1970s, there was some movement toward normalization of relations, but in the late 1970s, Cuba's military involvement in Africa and its support for revolutionary groups in the Caribbean Basin region halted any movement toward improved relations. In the 1980s, U.S.-Cuban relations remained tense because of Cuba's support for revolutionary movements abroad.

It was in this environment that in late September 1983, Congress approved specialized U.S. Voice of America (VOA) programming for Cuba with passage of the Radio Broadcasting to Cuba Act (P.L. 98-111).⁴ According to the legislation, while the VOA was already broadcasting to Cuba, "there is a need for broadcasts to Cuba which provide news, commentary and other information about the events in Cuba and elsewhere to promote the cause of freedom in Cuba." As a result of the legislation, Radio Marti – named for 19th century Cuban nationalist hero Jose Marti – began broadcasting to Cuba on May 20, 1985.

In 1987, just two years after Radio Marti's first broadcast, Congress approved funding for a study on the feasibility of establishing a U.S. government television service to Cuba in order to increase the free flow of information into that country. Congress then authorized and provided money for startup operations and testing of television broadcasting to Cuba in 1988 in the FY1989 State Department appropriations measure (P.L. 100-459, H.R. 4782). In 1990, Congress authorized the establishment of TV Marti when it approved the Television Broadcasting to Cuba Act as part of the State Department authorization measure for FY1990 and FY1991 (P.L. 101-246, H.R. 3793). Television broadcasting to Cuba began in March 1990 on an experimental basis and then began regular operations in August 1990. The broadcasts originate in Washington and are transmitted to Cudjoe Key, Florida, by satellite. The broadcasts are then beamed to Cuba after being uplinked to a transmitter in an aerostat.

In order for the FY1990-FY1991 funding of TV Marti to go forward, the legislation called for the President to determine that the testing of TV Marti demonstrated television broadcasting to Cuba was feasible and would not cause objectionable interference with the broadcasts of Cuban licenses. President Bush made the required determination in August 1990 (Presidential Determination No. 90-35) which allowed TV Marti to continue beyond its testing phase.

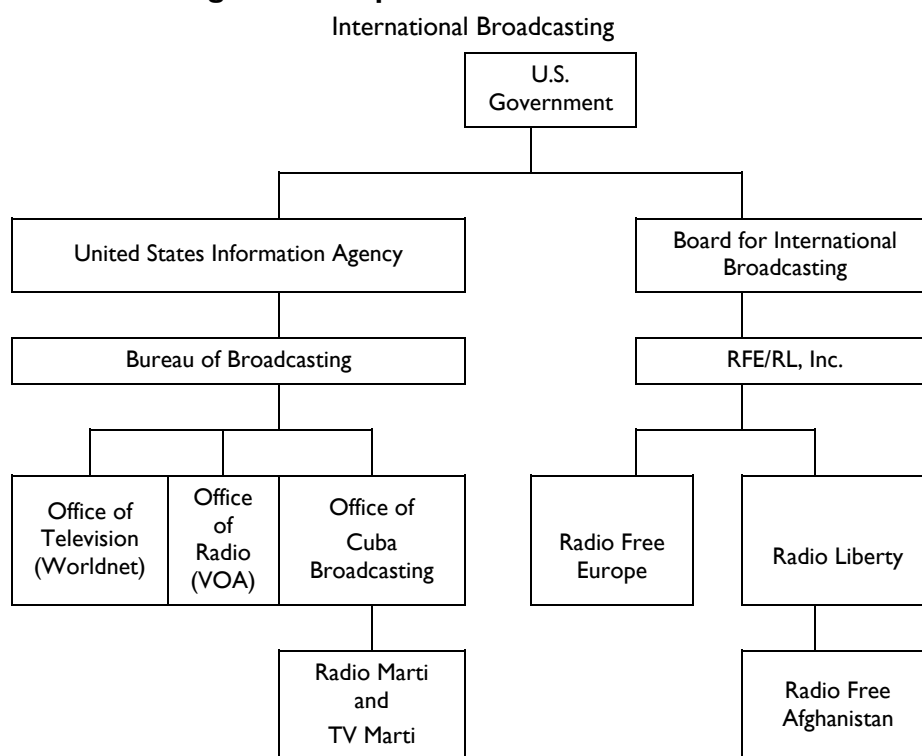
Under the legislation authorizing Radio Marti, a nine-member Advisory Board for Cuba Broadcasting (originally called the Board for Radio Broadcasting) was created. It has the task of reviewing the effectiveness of Radio and TV Marti and making any recommendations it may consider necessary. The Board's members are appointed by the President, by and with the advice and consent of the Senate, with not more than five members of the same political party and with the President designating one member of the Board to serve as chairperson. The Act stipulated that the initial Board members were to stagger rotation off the Board in one, two or three years, as designated. Thereafter, Board member terms would be three years. The legislation also states that any board member whose term has expired may serve until the President appoints a successor.

⁴ The measure, which was passed by the Senate on September 13, 1983 (voice vote) and by the House on September 29 (302-109) was signed into law October 4, 1983. The Reagan Administration had first requested the creation of specialized radio broadcasting for Cuba in legislation introduced in 1981, but the final measure was approved only after nearly two years of intense debate and significant compromise. For further details, see: U.S. Congress. House. Committee on Foreign Affairs. *Congress and Foreign Policy* 1983. p. 55.

Cuba Broadcasting as Part of U.S. Government Broadcasting

Currently, the United States government supports general broadcasting, such as Voice of America (VOA), and surrogate broadcasting, such as Cuba Broadcasting (Radio and TV Marti) and Radio Free Europe/Radio Liberty (RFE/RL).⁵ RFE/RL is independent of a U.S. government agency,⁶ while Cuba Broadcasting has always been within USIA's Bureau of Broadcasting. **Figure 1** shows how Radio and TV Marti, under the Office of Cuba Broadcasting, organizationally fit into the larger picture of U.S. government international broadcasting. (For more information on U.S. government international broadcasting, see CRS Report 94-29, *International Broadcasting: Consolidation of U.S. Radio Services*.)

Figure 1. Components of U.S. Government



Source:

⁵ Government foreign broadcasting operations are divided into two basic types of services. Both provide news and information. "Surrogate" broadcasting services usually target countries where repressive governments prohibit the existence of a free and independent media. "General" broadcasting services tend to emphasize information, perspectives, policies and the culture of the broadcasting nation. Radio and TV Marti, Radio Free Europe/Radio Liberty are examples of surrogate broadcasting; Voice of America is an example of general broadcasting.

⁶ The Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (P.L. 103-236) requires that RFE/RL be privatized by December 31, 1999, and that after September 30, 1995 Government grants can be made to RFE/RL only if its governing board is the Board of Governors, not the current governing body, Board for International Broadcasting (BIB).

Congressional Concerns

Over the years, members of Congress have debated the merits of the United States broadcasting to Cuba. Congressional concerns about Radio and TV Marti have included the following: politicization of the Advisory Board for Cuba Broadcasting; meeting VOA broadcast standards; and audience size and accessibility of TV Marti broadcasts to Cubans.

Politicization

Concerns about politicization at Radio and TV Marti have centered around the role of the Advisory Board for Cuba Broadcasting and its controversial chairman, Jorge Mas Canosa. Many are concerned about the lack of turnover of the Board members and the chairman, as was intended by the originating legislation. As illustrated in **Table 1**, the terms of all Board members, including the chairman, will have expired by the end of October 1994. Some critics claim that the lack of turnover is due to a lack of willingness on the part of past and current Administrations to change the composition of the Board. They say that the conservative Mas Canosa has attempted to use his influence to gain control of the radio station so that it could be used to propagate the views of the Cuban American National Foundation, a Cuban exile organization founded by Mas Canosa in 1981. Some have argued further that Mas Canosa is using his position to promote himself as the next Cuban leader after Castro.

Former Radio Marti Director Ernesto Betancourt maintains that he was ousted from his position in 1990 because of his alleged opposition to TV Marti and because Mas Canosa claimed to have lost control of Radio Marti.⁷ In a 1994 statement, Betancourt stated that his ouster “opened the floodgates for the politicization of the station, dragging it into exile politics and seriously weakening its editorial integrity.”⁸

Mas Canosa maintains that he has never tried to use Radio Marti for personal or foundation propaganda.⁹ At the time, a USIA spokesman stated that Betancourt was being reassigned to fill a critical need for the position of director of a USIA research office, a position which Betancourt declined.¹⁰

Betancourt urges abolishing the Advisory Board contending that it has “lost the trust of Congress,” has been “caught in a conflict of interest and has become part of the problem and not of the solution.” Betancourt asserts that “these stations should not be platforms for a political afterlife in post-Castro Cuba.” If the Advisory Board were not abolished, he recommends that it should at least be renewed with a broader representation, “including members of, but not dominated by, the Cuban-American community,” with “no figure politically active among exile groups.”¹¹

Another concern expressed by some observers is for the Board’s membership to be more balanced, with a broad gamut of Cuban American viewpoints represented. The current

⁷ Parker, Laura. “Radio Marti Director Ousted as Exiles Discuss Returning to Cuba.” *Washington Post*. March 13, 1990. p. A3.

⁸ *Report of the Advisory Panel on Radio Marti and TV Marti*. Volume 2, Statements to the Panel, March 1994 [hereafter cited as *Advisory Panel Report*, Volume 2]. Statement of Ernesto Betancourt.

⁹ Parker, Laura. “Radio Marti Director Ousted as Exiles Discuss Returning to Cuba.” *Washington Post*. March 13, 1990. p. A3.

¹⁰ Price, Joyce. “Troika to Head Radio Marti after Director is Reassigned.” *Washington Times*. March 19, 1990. p. A5.

¹¹ *Advisory Panel Report*, Volume 2. Statement of Ernesto Betancourt.

membership of the Advisory Board consists of five Republicans, three Democrats and one Independent. It has been chaired by Mas Canosa since its establishment. Many seem to concur that more diverse views are needed. Some believe that Mas Canosa should rotate off the Board entirely; some believe he should resign the chairmanship of the Advisory Board, but still remain as a Board member because of his experience.¹²

Table 1. Advisory Board for Cuba Broadcasting: Current Membership, Term of Office, and Party Affiliation

Member	Date Appointed or Reappointed	Term Length (Years)	Expiration	Party Affiliation
Jorge Mas Canosa (Chairman)	10/15/86 ^a	3	08/12/89	R
Clair Burgener	12/02/91	3	10/27/94	R
Jose Costa	11/21/91 ^b	3	10/27/94	R
Christopher Coursen	06/18/91	3	10/27/93	R
William Geoghegan	03/25/91	3	10/27/92	D
Joseph Glennon	11/21/91 ^c	3	10/27/94	R
Majorie Kampelman	10/28/88 ^d	3	12/20/91	D
Salvador Lew	03/11/92	2	03/10/94	I
Charles Tyroler	11/21/91	1	10/27/92	D

Sources: Advisory Board for Cuba Broadcasting, June 1994. Dates of original Senate confirmation were obtained from the *Congressional Record*.

Notes: R=Republican, D=Democrat, I=Independent

- a. Mr. Mas Canosa has served as Chairman since he was confirmed by the Senate on August 8, 1984.
- b. Mr. Costa has served on the Board since he was confirmed by the Senate on October 10, 1988.
- c. Mr. Glennon has served on the Board since he was confirmed by the Senate on October 25, 1985.
- d. Ms. Kampelman has served on the Board since she was confirmed by the Senate on December 19, 1987.

Broadcast Standards

Closely related to the question of politicization of Cuba Broadcasting is the issue of broadcasting standards of Radio and TV Marti. Some of the concerns that have been raised by observers and by some Members of Congress include: broadcasting too much Cuban-American news, too much entertainment and not enough news, a lack of editorials offering a wide variety of views, and a lack of on-air corrections of broadcasting errors.

In May 1992, the U.S. General Accounting Office (GAO) issued a report on TV Marti's compliance with broadcast standards.¹³ As part of the study, the GAO employed three consultants to watch broadcasts and assess program quality and compliance with Voice of America standards that broadcasts be objective, accurate, balanced, and present a variety of views. According to the report, two of the three consultants "believed that the broadcasts related to Cuba and the Cuban-American community lacked balance and did not meet established Voice of America standards.

¹² For example, see statement of Carlos Alberto Montaner in *Advisory Panel Report*, Volume 2.

¹³ U.S. General Accounting Office. *TV Marti, Costs and Compliance with Broadcast Standards and International Agreements*. May 1992. GAO/NSIAD-92-199.

The other consultant believed that the broadcasts generally met the standards but that improvements were needed.” In addition, the report noted that “TV Marti’s in-house critics also observed that some broadcasts might not meet standards.” GAO recommended that the USIA Director instruct VOA to institute procedures to ensure that TV Marti’s broadcasts meet established VOA standards. With regard to Radio Marti, in October 1992, GAO staff met with officials of USIA’s Bureau of Broadcasting about allegations that Radio Marti broadcasts did not meet VOA standards and suggested that the Bureau consider establishing an external review committee. In order to implement the GAO recommendations, the Office of Cuba Broadcasting established External Review Panels to review Radio and TV Marti’s news and programming. Concern has surfaced, however, regarding the objectivity of the External Review Panels, since they are selected by the Office of Cuba Broadcasting.

A long-time Radio Marti staff member, J. Richard Planas, recently stated “that there is significant politicization of news and information within Radio Marti to the extent that we may need to consider if Radio Marti is doing both the Cuban people and U.S. foreign policy a disservice.” According to Planas, Radio Marti editorial “guidelines are routinely ignored in deliberate attempts to favor a specific political agenda.” The agenda consists of: stressing commentaries that are critical and derisive of the Cuban regime, while downplaying favorable evaluations and statements of support toward Cuba; stressing the “hard line” policy toward Cuba while downplaying criticism of the U.S. embargo or views favoring negotiations with Castro; presenting favorable aspects of Cuban American political leaders who support the “hard line” policy while downplaying or even censoring criticism of these leaders; emphasizing the deficiencies of the Cuban regime while de-emphasizing its accomplishments; and favoring broadcasts of opinions and views about, or calls for, the imminent fall of the Cuban regime.¹⁴

Former Director of the Office of Cuba Broadcasting, Antonio Navarro, maintains that over the past three years “Radio Marti has drastically increased the volume of news and information as well as the diversity of responsible opinions in its programming” and that “no one person, organization or viewpoint dominates or controls any aspect of Radio or TV Marti.”¹⁵

In early June, because of the numerous allegations regarding the management of the Office of Cuba Broadcasting, Representative John Conyers, Chairman of the House Government Operations Committee’s Legislation and National Security Subcommittee, wrote to USIA Director Duffey. Representative Conyers expressed concerns about: alleged political bias which is reportedly undermining the accuracy and objectivity of broadcasts to Cuba; alleged retaliation against employees in the Office of Cuba Broadcasting who have criticized this political bias; and alleged cronyism whereby new employees have been hired not for their expertise, but because of their connections to influential individuals.¹⁶ Depending on Director Duffey’s response to Representative Conyers letter (which was requested by June 20, 1994, but reportedly has not yet been received), the Subcommittee may hold hearings to investigate the allegations.¹⁷

TV Marti’s Broadcasting Audience

Another fundamental concern for many observers, including Members of Congress, is whether TV Marti is actually being viewed in Cuba. Two reasons for low viewership are (1) the ratification by both the United States and Cuba of the International Telecommunications

¹⁴ *Advisory Panel Report*, Volume 2. Statement of J. Richard Planas.

¹⁵ *Advisory Panel Report*, Volume 2. Statement of Antonio Navarro.

¹⁶ Letter from Representative John Conyers, Jr., to USIA Director Joseph Duffey, June 7, 1994.

¹⁷ Television conversation with Representative Conyers’ staff, July 28, 1994.

Convention which requires that TV stations be established so as not to interfere with other nations' broadcasts. To comply with this treaty, U.S. broadcasts in Cuba must be scheduled from 3:30 a.m. to 6:00 a.m.; and (2) the constant and effective jamming of the broadcasts by the Cuban government.

A 1991 report issued by the President's Task Force on U.S. government International Broadcasting noted that TV Marti is impeded "because it is forced to broadcast during a time period when there are few viewers." The Task Force report recommended that "the U.S. government should view this as a matter of high priority and should act with vigor to try to gain better broadcast hours," but also asserted that "if it is not possible to change and extend the hours of broadcasting to reach a larger audience, the service should be terminated."¹⁸ In March 1994, the Chairman of the Task Force, John Hughes, stated that the Task Force probably had the same views as in the 1991 report, and characterized the 1991 report as concluding "that it was pointless and wasteful to continue TV Marti's operations, unless the viewing audience in Cuba could be substantially expanded."¹⁹

In large part because of the viewership problems, the U.S. Advisory Commission on Public Diplomacy²⁰ stated in a 1991 report "that TV Marti is not cost-effective at the present time when compared with other public diplomacy programs of proven value."²¹ In 1993, the Commission reiterated its statement that TV Marti was not cost effective, and recommended that "it should be shut down and its resources directed to productive public diplomacy activities." The report noted that despite sizeable funding, "consistent and effective Cuban jamming has resulted in only trace audiences for TV Marti's programs."²²

Congressional Funding

Every two years, Congress authorizes appropriations for State Department, USIA and broadcasting entities, including the Office of Cuba Broadcasting within the USIA as part of the Foreign Relations Authorizations Act. Annually, Congress passes appropriations for USIA within the Commerce, Justice, State and Related Appropriations Act. **Figure 2** illustrates the funding level of Radio and TV Marti compared to funding for other U.S. government-funded international broadcasts.

Because of congressional concerns about Cuba Broadcasting, there have been attempts by some Members to cut back or curtail funding for either one or both broadcasting operations. Nevertheless, until FY1994 both programs have been funded at levels similar to those requested by the Administration. **Table 2** shows the historical record of congressional appropriations for Cuba Broadcasting, including the number of positions funded. **Table 3** shows the actual Radio and TV Marti expenditures.

¹⁸ U.S. Department of State. *The Report of the President's Task Force on U.S. Government International Broadcasting*. December 1991. p. 15.

¹⁹ *Advisory Panel Report*, Volume 2. Statement of John Hughes, Chairman, The President's Task Force on U.S. Government International Broadcasting.

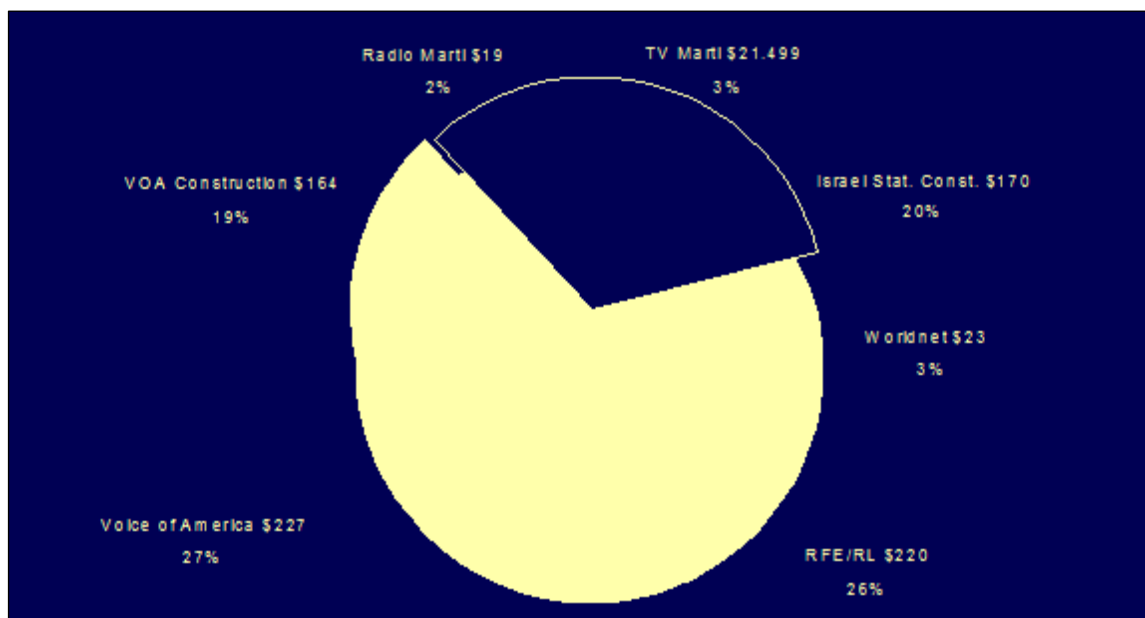
²⁰ As set forth in the U.S. Information and Educational Exchange Act, P.L. 80-402, the seven-member commission is appointed by the President, by and with the advice and consent of the Senate, to represent the public interest, to formulate and recommend policies and programs for USIA, and to appraise the effectiveness of USIA policies and programs.

²¹ U.S. Advisory Commission on Public Diplomacy. 1991 Report. p. 42.

²² U.S. Advisory Commission on Public Diplomacy. 1993 Report. pp. 36, 44.

Figure 2. Funds Available for U.S. Government International Radio and Television Broadcasting in 1993

(in millions) *



Source: U.S. Advisory Commission on Public Diplomacy 1993 Annual Report, p. 43.

Note: * Funds for U.S. government international broadcasting in FY1993 total \$844 million. Amounts reflect FY1993 appropriations plus carryover balances. The ratio of radio to television is \$800 million to \$44 million – or 18 to 1.

Table 2. History of Appropriations for Cuba Broadcasting

Fiscal Years	Funds (\$ in thousands)	Domestic Positions
1984	\$10,000	178
1985	8,500	187
1986	10,240	187
1987	12,759	185
1988	12,759	181
1989*	18,675	184
1990*	28,428	320
1991	31,069	320
1992	38,988	320
1993	28,531	317
1994	21,000	288
1995	24,809	262

Source: USIA, Program and Budget in Brief, various years, USIA Congressional Presentation, FY1995, and Congressional Record, June 27, 1994.

Note: * The figures shown for FY1989 and FY1990 include funds appropriated for the TV Marti program as transfers from the Radio Construction account – FY1989=\$7,500,000 and FY1990=\$15,891,000.

Table 3. Annual Obligations for Radio and TV Marti*

(actual obligations in \$ millions)

Fiscal Years	Radio Marti	Television Marti
1984	3.382	—
1985	14.823	—
1986	11.473	—
1987	12.880	—
1988	11.900	—
1989	12.778	1.464
1990	12.481	10.662
1991	15.538	16.641
1992	16.628	16.515
1993	15.892	12.658
1994	14.000	7.000
1995	13.167	11.642
Total	154.942	76.582

Source: Office of the Comptroller, U.S. Information Agency, March 1, 1994.**Note:** * Obligations are defined as an order placed, contract awarded, service received, or similar transaction during a given period that will require payments during the same or a future period.

FY1994 Funding and Conditions

In the Commerce, Justice, State and Related Agencies Appropriations Act of FY1994 (P.L. 103-121, signed into law October, 27, 1993), Congress withheld \$7.5 million for the two programs pending a report by the Advisory Panel on Radio and TV Marti, also established by the 1994 law. The Panel was created to study “the purposes, policies, and practices of radio and television broadcasting to Cuba.” The legislation called for the Advisory Panel to issue a report containing a statement of its findings and conclusions and containing specific findings and recommendations with respect to: whether such broadcasting consistently meets the standards for quality and objectivity established by law or by USIA; whether such broadcasting is cost effective; the extent to which such broadcasting is already being received by the Cuban people on a daily basis from credible sources; and whether TV Marti broadcasting is technically sound and effective and is consistently being received by a sufficient Cuban audience to warrant its continuation.

The law called for the USIA Director to submit a report to Congress, not later than July 1, 1994, on “his recommendations as to whether TV Marti broadcasting is technically sound and effective and is consistently being received by a sufficient Cuban audience to warrant its continuation and whether the interests of the United States are better served by maintaining television broadcasting to Cuba, by terminating television broadcasting to Cuba and strengthening radio broadcasting to Cuba or by funding other activities related to promoting democracy in Cuba authorized by law.” In formulating the report, the USIA Director was to consult with the Board for International Broadcasting and take into account any relevant recommendations of the Advisory Panel.

The law withholds \$5 million for Radio Marti until 30 days after the USIA Director reports to Congress (not later than July 1, 1994) on what specific measures the USIA is taking with respect to the recommendations of the Advisory Panel. With regard to TV Marti, the law withholds \$2.5

million until after the USIA Director submits his report. After that time, funds shall only be available for the orderly termination of television broadcasting to Cuba unless the Director of USIA determines, in his report to Congress, “that maintaining television broadcasting to Cuba is technically sound and effective, is consistently being received by a sufficient Cuban audience to warrant its continuation, and is in the best interests of the United States.” (See discussion below for the results of the Advisory Panel study and USIA determination.)

FY1995 Funding

In the Commerce, Justice, State and Related Agencies Appropriations Act of FY1995 (P.L. 103-317, signed into law August 26, 1994), Congress appropriated \$24.809 million for Radio and TV Marti, overcoming a House attempt to eliminate funding for TV Marti and substantially reducing funding for Radio Marti. The Administration had requested a funding level of \$27.609 million for the two programs, with \$15.167 for Radio Marti and \$12.442 million for TV Marti.

On June 27, 1994, the House passed the Commerce, Justice, State and Related Agencies Appropriations for FY1995, H.R. 4603, which eliminated funds for TV Marti and provided \$8.625 million for Radio Marti, 43% less than the budget request of \$15.167 million. According to the House Appropriations Committee report to the bill (H.Rept. 103-552): “In light of the findings of the Advisory Panel on Radio and TV Marti that at the present time TV Marti cannot be considered cost effective, and the Committee not being inclined to fund in any way broadcasting enhancements to make TV Marti cost effective, the Committee is denying funding for TV Marti for fiscal year 1995.”

With regard to the cutback in funding for Radio Marti, the House Appropriations Committee stated that “it intends that Radio Broadcasting to Cuba reduce its operations by approximately one-third to bring its resources more in line with commercial radio stations in the United States.” The Committee noted that the amount recommended for Radio Marti funding is “84 percent more than the average for a private sector commercial radio station.” The Committee further stated that it “recognizes the value of providing news and information to the people of Cuba that is balanced” and “urges” the USIA Director “to ensure that Radio Marti’s broadcasts meet these criteria and that they comply fully with established Voice of America broadcast quality standards.”

On July 22, 1994, the Senate passed its version of H.R. 4603, which would provide \$24.809 million for Radio and TV Marti, about 10% less than the Administration’s request. The Senate Appropriations Committee stated in its report to the bill (Senate Report 103-309) that it “unequivocally rejects the House bill’s action to eliminate funding for TV Marti,” and “believes that TV Marti is an integral part of the United States’ effort to get objective news, commentary, and other uncensored information directly to the Cuban people.” The Committee recommended providing \$1.2 million to convert TV Marti from VHF to UHF, as called for by the Advisory Panel, and noted that its overall funding level for Radio and TV Marti “reflects efficiencies in the Cuban broadcasting services.”

An amendment offered on the Senate floor by Senator Baucus to eliminate TV Marti generated debate on whether or not TV Marti is cost-effective. It was ultimately withdrawn, however, after Senator Mack introduced a perfecting amendment that, instead of eliminating funds for TV Marti, would have condemned the Cuban government for the deliberate sinking of a tugboat filled with Cubans (including many women and children) trying to escape Cuba.

In the end, the Senate predominated in conference on H.R. 4603 with regard to Cuba broadcasting, and Congress appropriated \$24.809 million for both programs.

Advisory Panel Report and The USIA Director's Response

The report of the Advisory Panel on Radio Marti and TV Marti, issued in March 1994, “concluded that despite the obstacles, interference and shortcomings which have hampered both Radio and TV Marti, the United States interest is served by their continuing to air.” Nevertheless, the Advisory Panel made 14 specific recommendations for streamlining operations, reforming supervisory structures of the Office of Cuba Broadcasting, and improving U.S. broadcasts to Cuba. (See **Appendix** for a listing of the 14 recommendations along with the USIA Director's responses to the recommendation.)

The July 1994 response of the USIA Director to the Advisory Panel report agreed with most of the Panel's recommendations. USIA Director Duffy agreed with the Panel that Radio Marti has an important role as a “unique source of trustworthy, uncensored information for significant numbers of Cubans,” and he stated that USIA has already begun to put into effect many of the Panel's recommendations which “will help bring greater professionalism, diversification, and balance to Radio Marti's programming.” With regard to TV Marti, the USIA Director agreed with the Panel's recommendation that it continue, and asserted that while Cuban jamming of the broadcasts and its inconvenient early morning broadcast hours have kept audiences small, “it does seem clear, however, that a significant number of Cuban citizens have attempted to tune in to these broadcasts and are interested in their content.”

According to the USIA Director, his response was written after “careful consideration” of the Panel report and after consultation with an Executive Branch Interagency Working Group on U.S.-Cuban policy. The Director also asserted that his findings were “guided by statements of the President and legislative actions by the United States Congress.”

Some Members of Congress expressed concern that the Advisory Panel was created to review specific operational issues of radio and television broadcasting to Cuba and therefore went beyond its mandate in issuing its recommendations. Representative David Skaggs noted in a statement submitted to the Advisory Panel that “Congress has specifically directed the Panel to scrutinize Radio and TV Marti with regards to program quality and objectivity, cost-effectiveness, and the extent to which news and information is already available in Cuba on a daily basis through commercial broadcast sources,” as well as “whether TV Marti is technically sound and effective and is consistently being received by a sufficient Cuban audience to warrant its continuation.” He expressed concern that the recommendations of TV Marti supporters to make TV Marti more resistant to jamming – like converting from VHF to UHF – “ignore the overriding questions of feasibility, cost-effectiveness, and legality that remain.”²³

Other Members maintain that the Advisory Panel was correct in taking a broad interpretation of its mandate, and point out that the legislation establishing the Panel called for it to study the “purposes, policies and practices of radio and television broadcasting to Cuba.” As noted by Senator Ernest Hollings in a letter to the Advisory Panel, “it was never our intent to have the Advisory Panel conduct solely a narrow, technical review of these programs.”²⁴ In testimony before the Advisory Panel, Representative Robert Torricelli asserted that “Congress not only

²³ *Advisory Panel Report*, Volume 2. Statement of Representative David E. Skaggs.

²⁴ *Advisory Panel Report*, Volume 2. Letter of Senator Ernest Hollings to the Advisory Panel.

expected a report on the technical effectiveness of broadcasting to Cuba, but also an evaluation of the overall effectiveness of these two institutions as vehicles to promote democracy in Cuba.”²⁵

Advisory Board

The Panel report had two recommendations regarding the Advisory Board for Cuba Broadcasting. First, the Panel recommended that the chairperson and the members of the Advisory Board be rotated every three years, and the USIA Director endorsed this recommendation in his response. USIA Director Duffey noted that there has not been significant turnover of the Board. He noted that under three Administration just 14 people have served on the nine-member Board, but the Director also pointed out that the terms of all the Board’s members will be up this year.

The second Panel recommendation regarding the Advisory Board was that it should be a consultative body not involved in day-to-day broadcasting operations or in the recruitment or promotion of personnel. The USIA Director supported this recommendation to limit the scope of the Advisory Board and noted that the Board already has a legislative mandate to work through appropriate channels. The legislation provides that the Board is to review the effectiveness of Radio and TV Marti and make recommendations to the President and to Director and Associate Director for Broadcasting of USIA.

Broadcast Standards

The Panel report made numerous recommendations to improve the broadcast standards of Radio and TV Marti. These included: clarifying editorial decision-making; broadcasting daily editorials; broadcasting corrections; working to balance broadcasts (with a view toward concentrating on news and information and adjusting the amount of programming devoted to the Cuban American community); changing the current practice of having the Office of Cuba Broadcasting select the members of External Review Panels and the material they select to review; producing video reports; and broadcasting news on satellite at prime time. The USIA Director’s report to Congress responded in detail about how the Office of Cuba Broadcasting is implementing the broadcast standard recommendations of the Advisory Panel (see **Appendix**).

Professional Standards for the Office of Cuba Broadcasting

The Panel made a recommendation to review the Office of Cuba Broadcasting’s personnel recruitment and supervision standards to ensure that appropriate professional standards are met consistently. In response, the USIA Director reported that the Bureau of Broadcasting was taking measures to ensure professional standards. Director Duffey pointed out that the measures being implemented originated from a 1993 review conducted by the USIA’s Office of Inspector General (OIG) that was released in May 1994.²⁶

²⁵ *Advisory Panel Report*, Volume 2. Testimony of Representative Robert G. Torricelli.

²⁶ The OIG review examined allegations that 10 Radio Marti employees were unqualified for their positions or biased in favor of Cuban Marxists and Socialists, and an allegation that Radio Marti’s news director could not speak fluent English, as required for the position. With regard to the 10 employees, the OIG report determined that they were qualified, and pointed out that an External Review Panel had recently reported that Radio Marti programming was generally well presented and relevant to the Cuban audience. Nevertheless, the OIG found that the process of selecting broadcasts for review should be improved. With regard to the news director, the OIG verified the allegation that the news director could not speak fluent English and found that the news director’s appointments were inconsistent with the Office of Cuba Broadcasting’s excepted service personnel policies. Consequently, OIG recommended that written policies be established for all excepted service personnel actions, and that the news director’s appointments be reviewed.

Future of TV Marti

The Panel concluded that TV Marti's broadcasts are technically sound and contain essential information not otherwise available to the Cuban people. The Panel reported "Cuban jamming prevents those broadcasts from being received by any substantial number of Cubans," and as a result, "TV Marti cannot now be considered cost-effective" by the usual economic criteria. Nevertheless, the Panel asserted that "the Cuban people have an ardent desire and a genuine need to receive the programming produced by TV Marti," and therefore recommended that TV Marti be converted from the current VHF to UHF transmission. This would require funding, but would allow broadcasting throughout the day, and would be more difficult for the Cuban government to jam. While the Panel did acknowledge that many Cubans do not own TVs with UHF reception capability, more and more TVs in Cuba are coming from Japan, South Korea, Taiwan, China, and Europe. Therefore, future viewership would be expected to increase with UHF transmission.

The Panel suggested that eliminating TV Marti would send a message to the Cuban government and people that the United States is not committed to democracy and human rights promotion. Furthermore, the Panel asserted that in the event of a crisis or upheaval in Cuba's future, it would be important to have TV Marti available as a news source. Research presented to the Panel indicated that at moments of severe crisis, people turn to television first. In the event of a crisis, if TV Marti were not already operating, it would take several months or more to begin operations.

In a dissenting view, Chairman of the Board for International Broadcasting, Daniel Mica, stated to the Advisory Panel "that TV Marti is an experiment that should be shelved for the time being," but suggested that broadcasts to Cuba could be resumed in the future "when there is a greater chance for technical success, assuming such resumption is still warranted by U.S. foreign policy concerns."²⁷ Several other witnesses to the Advisory Panel, while favoring the concept of television broadcasting to Cuba, believe that the station should be shut down unless there are changes to increase viewership.

In his July 1994 response to the Advisory Panel report, USIA Director Duffy strongly supported TV Marti, maintaining that the best interests of the United States are being served by its continuation. The Director also maintained that television broadcasting to Cuba is technically sound and effective, and that it is consistently being received by a sufficient Cuban audience to warrant its continuation. In justifying his finding about a sufficient Cuban audience, Director Duffey cited a December 1993 USIA Office of Research survey of Cubans visiting the U.S. Interests Section in Havana. The survey showed that while 4 percent of the Cubans surveyed reported regularly watching the signal for more than five minutes, 38 percent reported attempting to tune in. According to Duffey, "TV Marti's inability to reach larger audiences in Cuba is not the result of any deficiency on the part of TV Marti, but rather the political decision on the part of the Cuban regime to deny the Cuban people access to free news and information."

²⁷ *Advisory Panel Report*, Volume 2. Statement by Daniel A. Mica, Chairman of the Board for International Broadcasting.

Appendix. Advisory Panel

The Advisory Panel made 14 specific recommendations to which the USIA Director responded:²⁸

(1) **Down-size management**—The Panel questioned the need to spend more than \$1 million to compensate officials who supervise, but never become involved in the actual broadcasts. *The Director stated that the Office of Cuba Broadcasting has proposed reducing management and production costs that will result in a \$4 million saving by the end of FY1995. Supervisory positions are being reduced by 20 percent in Radio and TV Marti, he said.*

(2) **Review personnel management**—The Panel recommended personnel recruitment standards be consistently met. Especially of concern to the Panel was that those in charge of news and programs be fluent in both Spanish and English. *According to the Director, measures to improve personnel standards are currently underway.*

(3) **Clarify editorial decision-making**—The Panel recommended that the Office of Cuba Broadcasting simplify its cumbersome editorial guidelines and provide for a single, official line of authority for editorial decisions. *The Director stated that he has established a single line of authority for editorial decisionmaking.*

(4) **Broadcast daily editorials**—The Panel encouraged the addition of editorials on both Radio and TV Marti, asserting that such editorials would help to build a sturdier wall between news and policy. *The Director responded by saying that editorial decisions are currently made in a daily meeting in the Office of Cuba Broadcasting. Mr. Duffey stated he is reviewing the possibility of strengthening VOA's editorial production on Cuba and U.S.-Latin American relations for use by the Office of Cuba Broadcasting.*

(5) **Broadcast corrections**—The Panel urged daily corrections that would enhance the credibility of the broadcasts. *The Director's response stated that corrections will be broadcast as soon as possible after the error is discovered, usually within the same or next broadcast cycle.*

(6) **Balance programming**—The Panel expressed the belief that a reduction of entertainment programming and Cuban-American news would enhance the balance of both Radio and TV Marti broadcasts. *Director Duffey stated that Director of the Office of Cuba Broadcasting, Richard Lobo, already has introduced programming changes to achieve greater balance. The VOA Handbook establishes requirements regarding balanced reporting that will be applied to the Office of Cuba Broadcasting. He went on to say that in the past three years, Radio and TV Marti have increased the amount of news and informative programming, the proportion of news from and about Cuba, and participation in programs by Cubans living on the island.*

(7) **Modify external review procedures**—The Panel disagreed with the current practice that the Office of Cuba Broadcasting selects the External Review Panels and the materials they review. *The Director stated that the USIA is currently reviewing its process for program selection for the Radio Marti External Review Panel and is developing a plan of action to be completed by September 30, 1994 to ensure independence. The Director said that current methods for selection of External Review Panels were approved by the Bureau of Broadcasting and USIA, and satisfy criticism made by the General Accounting Office.*

(8) **Reduce live radio broadcasting**—The Panel recommended that Radio Marti could reduce costs and editorial error without significantly limiting the information made available to listeners

²⁸ *Report of the Advisory Panel on Radio Marti and TV Marti, Volume I, Findings and Conclusions*, March 1994 [hereafter cited as *Advisory Panel Report, Volume 1*]; and USIA Director's Response to the Report of the Advisory Panel on Radio Marti and TV Marti, July 8, 1994.

by reducing the current 24 hour schedule of live broadcasting to 18 hours. *The Director corrected the statement that Radio Marti broadcasts live for 24 hours each day. He stated that live broadcasting is limited to seven hours a day with the exception of brief hourly newscasts from 5:00 a.m. to 2:15 a.m. the following day. The rest of the time consists of pre-recorded broadcasting.*

(9) Convert TV Marti to UHF—The Panel asserted that TV Marti should convert to UHF transmission to allow for broadcasting during prime time and to increase the difficulty in jamming by the Cuban government. Researching this concept would require about one year, according to the Panel. *The Director believed that more research on converting TV Marti to UHF is necessary before investing in it. If research concludes that transferring to UHF would make a significant positive difference in the effectiveness of TV Marti, the Director advised asking Congress for support at that time.*

(10) Reduce TV Marti broadcasting during transition to UHF—Such a reduction in broadcasting would keep the TV in operation, but reduce costs while researching the transition to UHF. *The Director responded by stating that if this recommendation was made for cost savings, the impact would be small. Currently TV Marti repeats a half hour newscast three times daily. The difference if changed to repeating a fifteen minute newscast four times daily would be negligible, he said. He went on to say that contrary to some perceptions, TV Marti broadcasts are almost exclusively news and information.*

(11) Produce video reports—During the transition to UHF, TV Marti should explore the possibility of producing videotape documentaries and features for distribution in Cuba. *Mr. Duffey stated that TV Marti's Programs Department is currently producing and has produced several documentaries for broadcast on TV Marti. He cautions that the Cuban recipients of these tapes run a risk of prosecution under the Enemy Propaganda Act of the Cuban Government.*

(12) Broadcast news at prime time—The Panel encouraged TV Marti to consider broadcasting its hour of newscast on satellite during prime time. *The Director is currently exploring the possibility of this scheduling change with USIA's Telecommunications Directorate.*

(13) Rotate chairperson and members of the Advisory Board for Cuba Broadcasting—The Panel recommended that the chairperson and the members of the Advisory Board for Cuba Broadcasting be rotated every three years, as was originally intended in the legislation. *The Director agreed with this recommendation, saying that there has not been significant turnover of the Board under the past three Administrations.*

(14) Limit scope of the Advisory Board—The Panel expressed the belief that the Advisory Board should have consultative and not broadcasting functions, nor be involved in recruitment or promotion of personnel functions. *The Director stated he expects the Board to follow its mandate and implement it through the appropriate channels. According to the Radio Broadcasting to Cuba legislation, the Advisory Board for Cuba Broadcasting "shall review the effectiveness of the activities carried out under the act and the Television Broadcasting to Cuba Act and shall make such recommendations to the President and the Broadcasting Board of Governors as it may consider necessary."*

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